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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,191	10/22/2003	Pamela Cifra	13720-105089US1	8424

65989

7590

07/09/2009

KING & SPALDING
1185 AVENUE OF THE AMERICAS
NEW YORK, NY 10036-4003

EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED: 07/09/2009

Please find below and/or attached an Office communication concerning this application or proceeding.

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10/692,191	10/22/2003	CIFRA ET AL.	13720-105089US1

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EXAMINER

LESLIE A. ROYDS

ART UNIT	PAPER
1614	20090702

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

NOTICE OF NON-RESPONSIVE AMENDMENT

Applicant's amendments and request for continued examination filed April 15, 2009 have each been received and entered into the present application.

Consideration of the remarks and documents contained therein has been performed by the Examiner. It is noted that Applicant references an article from an October 2008 issue of Allure magazine (p.288) at p.22 of the instant remarks. However, the copy is sufficiently illegible such that a full and complete consideration of the document and its relevance to Applicant's remarks regarding nonobviousness cannot be fully assessed. In addition, the remarks also include references to five figures contained within the Declaration of Dr. Jacob Waugh, also filed April 15, 2009, as a means of demonstrating elastin production using various concentrations of zinc. However, the figures are each sufficiently unclear such that the different features and variations to which Applicant refers cannot be easily discerned. Note also that several figures contain arrows pointing to what would appear to be a relevant feature that is not clearly defined. Accordingly, the lack of clarity in the figures also precludes a full and complete consideration of the figures and their relevance to the discussion provided both in the declaration, as well as Applicant's remarks.

Accordingly, by issuance of this notice, Applicant is required to provide full, clear, complete and/or legible copies of each of the Allure magazine reference and each of the five figures referenced in the Declaration of Dr. Waugh as relied upon in the Remarks in order to overcome the instant obviousness rejection for consideration by the Examiner of record in order to properly consider Applicant's remarks and alleged evidence of nonobviousness.

Since the above-mentioned response appears to be a bona fide attempt to reply, Applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction, in order to avoid abandonment. Extensions of this time period under 37 C.F.R. 1.136(a) are available.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Leslie A. Royds, whose telephone number is (571)-272-6096. The Examiner can normally be reached from Monday through Friday, 9:00 AM to 5:30 PM. If attempts to reach the Examiner are unsuccessful, the Examiner's supervisor, Ardin H. Marschel, can be reached on (571)-272-0718. The fax phone number for the organization where this application or proceeding is assigned is (571)-273-8300.

/Ardin Marschel/
Supervisory Patent Examiner, Art Unit 1614

/Leslie A. Royds/
Patent Examiner, Art Unit 1614